

MODULE II - GENERAL FACILITY CONDITIONS

II.A. APPLICABILITY

The requirements of this permit module pertain to all hazardous waste management units identified within Modules III, IV, IX(A), and IX(B).

II.B. DESIGN AND OPERATION OF FACILITY

II.B.1. The Permittee shall design, construct, maintain and operate the container storage areas and associated drum shredder, the tanks and associated shredders, incinerator and surrounding areas to minimize the possibility of a fire, explosion, or any sudden or non-sudden release of hazardous waste or hazardous waste constituents to air, soil, groundwater or surface water which could threaten human health or the environment.

II.B.2. The Permittee shall construct and maintain all hazardous waste management units in accordance with the approved designs contained in this permit (i.e. drawings and specifications contained in Attachments 9 through 16), except for minor changes deemed necessary by the Permittee to facilitate proper construction of the hazardous waste management unit. Minor deviations from the approved designs to accommodate proper construction and the substitution of equivalent or superior materials or equipment shall be noted on the as-built drawings and specifications, and a rationale for those deviations shall be provided in written form. After completion of construction of each hazardous waste management unit, the Permittee shall submit final as-built drawings and the written report to the Executive Secretary as part of the construction certification documentation specified in Condition I.R.

II.C. REQUIRED NOTICE

When the Permittee is to receive hazardous waste from an off-site source (except where the Permittee is also the generator), he must inform the generator in writing that he has the appropriate permits for, and will accept, the waste the generator is shipping. This will be accomplished by sending the generator a statement

of these facts once for each waste stream. The Permittee must keep a copy of this written notice as part of the operating record as required by Condition II.M.1.

II.D. WASTE ANALYSIS PLAN

II.D.1. The Permittee shall follow the procedures of the Waste Analysis Plan included as Attachment 2 of this permit, except that the following changes to Attachment 2 of this permit are hereby made:

II.D.1.a. [RESERVED]

II.D.1.b. through II.D.1.k.¹

II.D.1.l. [RESERVED]

II.D.1.m. through II.D.1.q.¹

II.D.1.r. RESERVED

II.D.1.s. through II.D.1.z.¹

II.D.1.aa. through II.D.1.zz.¹

II.D.1.aaa. through II.D.1.ggg.¹

II.D.2¹

II.D.2.a. The Executive Secretary may reject any data if determined to be unreliable for any reason.

II.D.2.b. The Permittee shall not accept any wastes until the on-site laboratory has applied for certification from the Utah State Health Laboratory for the analyses that can be certified. The Permittee shall proceed toward and obtain final formal certification from the State Health Laboratory under the schedule set forth under the State Health Laboratory. The Permittee may perform on-site analyses at their on-site laboratory for those parameters for which certification is not available. The analyses which can not be certified by the State Health Laboratory shall be done in accordance to the Waste Analysis Plan.

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- II.D.2.c. All analysis sheets (laboratory assessment reports prior to shipment) must be tied by a unique number to the profile sheet and the uniform hazardous waste manifest upon which that shipment of waste arrived at the Permittee's facility. Acceptance Testing of shipments must be recorded in the Operating Record and compared to tolerance ranges prescribed in Attachment 2. Tolerance exceedences must be explained in the comments section of the Operating Record only if the waste in question is accepted.
- II.D.2.d. through II.D.2.g¹
- II.D.3. In all instances when a waste stream is not sampled or analyzed due to the nature of the waste and the pre-acceptance parameters are determined based on knowledge of the waste, an explanation why the sample was not taken shall be documented in operating record. In addition, a description of the criteria used in the determination that the waste is acceptable at the Facility shall be documented in the operating record. In all cases, when it is possible to sample a waste media according to the analytical procedures, a sample will be obtained and analysis run according to the Waste Analysis Plan, Attachment 2. Inconvenience or difficulty in obtaining a sample shall not be a defense for not obtaining a sample and performing the analysis.
- II.D.4. As part of the facility operating record, the Permittee must keep a daily record of the hazardous waste codes assigned to and the quantity of every batch of incinerator feed containing LDR wastes. Specifically, the Permittee must comply with the hazardous waste code tracking requirements and record keeping procedures defined in Section 9 of the Waste Analysis Plan.
- II.D.4.a. TREATMENT STANDARDS EXPRESSED AS SPECIFIED TECHNOLOGIES: If the Permittee incinerates wastes or mixtures containing wastes identified in 40 CFR 268.42(a), the residue generated from such wastes must be managed in compliance with 40 CFR 268.42.
- II.D.4.b. APPLICABLE STANDARDS: The Permittee must comply with all LDR treatment standards contained in 40 CFR Part 268. If the Permittee knows or suspects

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that the treatment residue fails one or more of the treatment standards contained in 40 CFR 268 Subpart D, the Permittee must notify the accepting treatment, storage or disposal (TSD) facility that the residue requires further treatment prior to disposal. The TSD facility must be authorized to accept wastes in accordance with applicable state and federal laws. When more than one waste or waste extract concentration-based treatment standard for a particular constituent applies to the mixture of wastes in the feed, the residue will be subject to the most stringent standard. These requirements apply to lab packs, except those meeting the definitions in 40 CFR 268.42 (c) (3) and (4).

II.D.5. RESIDUE SAMPLING:

II.D.5.a. Options for Primary Kiln, Cyclone, Burner Kiln and Air Pollution Control System (APCS) Residues:

II.D.5.a.i. Option 1 - No LDR Partial Operational Days and Residue Collection Containers Replaced Daily.

The Permittee shall collect at least one representative sample of residue from the Primary Kiln Residue Collection System, the Burner Kiln Residue Collection System, and the Air Pollution Control Residue Collection System within one hour of the end of every 24-hour LDR operational day. The samples shall be collected from containers that contain only residue accumulated from the previous 24-hour period in accordance with Section 9.5 of the Waste Analysis Plan.

The Permittee shall collect at least one representative sample from each Primary Kiln Cyclone residue container after it is full and/or is removed from service.

II.D.5.a.ii. Option 2 - Combustion/Residue Collection Units accumulate waste codes with selective waste code removal allowed.

When this option is used, the residue from the primary kiln and the cyclone may be commingled after the points where the samples are taken.

Sampling from residue streams is accomplished at regular intervals throughout LDR Operational Day from each residue stream as generated from the Primary Kiln Residue Collection System, the Primary Kiln Cyclone Residue Collection System,

the Burner Kiln Residue Collection System, and the Air Pollution Control System Residue Collection System in accordance with Section 9.5 of the Waste Analysis Plan. At least one sample from each system will be obtained for each operational day waste is fed to the upstream combustion unit and there is enough residue produced to obtain a sample. Samples are composited for the LDR Operational Day or LDR Partial Operational Days.

II.D.5.b. The Permittee shall collect at least one representative sample of residue from the SCC System every time the SCC Ash Chamber is emptied.

II.D.5.c. Representative samples shall be collected using only EPA-approved methods and shall be obtained from the containers (Option 1) or as grab samples of residue upstream of the containers (Option 2) in accordance with the appropriate section of the Waste Analysis Plan. If necessary, the sample may be crushed or pulverized for compositing and/or analysis. The size of the representative samples shall be sufficient to perform all tests required to meet the LDR requirements and any additional Quality Assurance/Quality Control testing required.

II.D.6. RESIDUE ANALYSIS:

II.D.6.a. ORGANICS: The Permittee shall analyze each composite residue sample generated, at a minimum, for every organic constituent of the wastes present in the feed which have numeric treatment standards promulgated under 40 CFR 268. The Permittee shall follow the procedures specified in Section 9.6 of the Waste Analysis Plan.

II.D.6.b. INORGANICS: The Permittee shall analyze each composite residue sample generated, at a minimum, for every inorganic constituent of the wastes present in the feed which have treatment standards promulgated under 40 CFR 268 or conservatively assume the residue fails the treatment standards for all inorganic constituents with the exception of mercury, as specified in Section 9.6 of the Waste Analysis Plan. The Permittee must analytically demonstrate whether or not residue from incineration of mercury waste codes D009, F039, K061, K062, K071, K101, K102, K106, P092, U151, or any subsequent listed codes with mercury as a constituent is "High Mercury," as defined by 40 CFR 268.40. If determined not to be "High Mercury," mercury may be treated the same as the

other inorganic constituents as specified in Section 9.6 of the Waste Analysis Plan.

II.D.7. FAILURE TO MEET LDR REQUIREMENTS:

If, based upon analyses, any residue exceeds the waste and/or waste extract concentration-based standards for the wastes incinerated, the Permittee must do the following:

II.D.7.a. ORGANICS:

II.D.7.a.i. Any residue generated which fails to meet LDR treatment standards for organics may be re-incinerated. If failure is suspected to have occurred because of contamination from another source during or after the sampling of the waste, or the composite sample is from multiple containers, the waste may be representatively resampled for another analysis in accordance with Section 9.5 of the Waste Analysis Plan or re-incinerated. If the second analysis meets LDR treatment standards for organics, and this second analysis is used as the basis for certifying that LDR treatment standards have been met, documentation shall be placed in the operating record justifying the use of the second analysis over the first analysis. If the second analysis fails, the waste must be re-incinerated or must be sent to an EPA-approved treatment, storage, or disposal facility accompanied by a written notice and certification that it does not meet LDR treatment standards and requires further treatment.

II.D.7.a.ii. If any batch of waste which fails to meet LDR treatment standards is re-incinerated, the Permittee must sample and analyze the resulting residue for the LDR treatment standards applicable to all waste codes associated with the batch of waste being re-incinerated and any wastes being incinerated for the first time. The Permittee shall track re-incinerated waste as described in Section 9.7 of the Waste Analysis Plan. If waste residue is re-incinerated more than twice and it continues to fail to meet a specific LDR treatment standard for organics, notification to the Executive Secretary must be made within 5 days documenting the circumstances of the continued failure.

- II.D.7.a.iii. Permittee may, using operational knowledge, declare any accumulated residue to have failed organic treatment standards.
- II.D.7.b. INORGANICS:
- II.D.7.b.i. Any residue generated which fails to meet any LDR treatment standard solely for inorganics may not be reincidenterated, except as provided for in Condition II.D.7.b.ii., and must be sent to an EPA-approved facility accompanied by a written notice and certification that it does not meet the applicable LDR treatment standards for inorganics and requires further treatment.
- II.D.7.b.ii. If a batch of residue generated by incineration of a mixture of PCBs regulated under the Toxic Substances Control Act (TSCA) and hazardous waste with organic and/or inorganic LDR treatment standards fails an inorganic LDR treatment standard and fails the PCB treatment standard specified in the EPA TSCA Approval, that batch of residue may be reincidenterated to comply with the EPA TSCA Approval. Reincidenteration required solely by the EPA TSCA Approval does not trigger the notification or tracking requirements in Condition II.D.7.a.ii.

II.E. SECURITY

- II.E.1. The Permittee shall comply with security conditions and procedures contained in Attachment 3 of this permit, except that the following changes to Attachment 3 are hereby made:

II.E.1.a. through II.E.2.¹

II.F. GENERAL INSPECTION REQUIREMENTS

- II.F.1. The Permittee shall follow the inspection schedule found in Attachment 4, except that the following changes are hereby made. In addition, the Permittee shall comply with the Conditions II.F.2 through II.F.9. as well as conditions pertaining to inspections in Modules III, IV, IX(A), and IX(B).

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II.F.1.a. through II.F.1.f.¹

- II.F.2. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by R450-8-2.6(c). If the remedy requires more than seventy-two (72) hours from the time that the problem was detected, the Permittee shall submit to the Executive Secretary, before the expiration of the seventy-two (72) hour period, a proposed time schedule for correcting the problem.
- II.F.3. Records of all inspections shall be kept as required by R450-8-2.6(d). All annual tests for tank corrosion, foundation integrity, and secondary containment integrity must be certified by an independent registered professional engineer qualified by experience and education in the appropriate engineering field.
- II.F.4. Any problem which could endanger human health or the environment (tank rupture, dike failure, transportation spills, etc.) shall be corrected as soon as possible after the problem is discovered. The Permittee shall make every effort to eliminate the threat to human health or the environment within twenty-four (24) hours.
- II.F.5. Problems found during periodic inspections conducted under this Module shall be corrected within the time frame stipulated in conditions II.F.2 and II.F.4. If, upon determination by the Executive Secretary or the Permittee, continued operation of the waste management unit involved in the inspection could endanger human health or the environment, the Permittee shall cease operation of the unit until the problem has been corrected. The Permittee shall be allowed to undertake those operations which are part of corrective activities.
- II.F.6. The Permittee may make the following revisions to the Inspection Procedures (included as Attachment 4 of this permit), in accordance with the procedures for Class 1 permit modifications which require pre-approval from the Executive Secretary, in accordance with R450-3-9.1(d):

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- II.F.6.a. Upon certification of closure of an individual hazardous waste management unit, any portion of the Inspection Plan specific to that unit shall be deleted from the Inspection Procedures.
- II.F.6.b. The Permittee may modify inspection requirements in an existing inspection form, table, figure, or record in cases where such modifications will result in more comprehensive or detailed Inspection Procedures.
- II.F.6.c. If necessary, the Permittee shall create additional inspection forms, tables, figures, or records to address inspection requirements for equivalent replacement equipment which is to be routinely inspected
- II.F.7. through II.F.10.¹

II.G. PERSONNEL TRAINING

The Permittee shall conduct personnel training as required by R450-8-2.7. This training program shall follow the outline found in Attachment 5 except that the following changes in II.G.4. are hereby made. New personnel working with hazardous waste shall complete the required personnel training within six (6) months of their hire date. In addition, the Permittee shall comply with the following conditions:

- II.G.1. The Permittee shall provide training in the use of the Contingency Plan on an annual basis for all employees involved in hazardous waste management.
- II.G.2. through II.G.5.¹
- II.G.6. The Permittee shall maintain training documents and records as required by R450-8-2.7(d) and (e). All training documents and records shall be maintained and available for review in a single operating record in a section of the operating record designated for personnel training plan and records. These records shall indicate the type and amount of training received.

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II.H. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE

II.H.1. The Permittee shall comply with the requirements of R450-8-2.8. and the requirements of all applicable National Fire Protection Association (NFPA) codes.

II.H.2. In addition to the requirements of R450-8-2.8., the Permittee shall comply with the conditions of Modules III and IV pertaining to ignitable, reactive, or incompatible waste.

II.I. LOCATION STANDARDS AND SITING CRITERIA

It has been determined that this facility has met the location standards and siting criteria for new facilities required by State and Federal Rules. Supporting documentation is provided in Attachment 1.

II.J. PREPAREDNESS AND PREVENTION

II.J.1. As required by R450-8-3.3., the Permittee shall equip and maintain in good operating condition at the facility the equipment set forth in Attachment 6, except the following changes are hereby made:

II.J.1.a. through II.J.1.t.¹

II.J.2. Testing and Maintenance of Equipment. The Permittee shall test and maintain the equipment specified in Condition II.J.1. as required by the National Fire Protection Association (NFPA) to assure its proper operation in time of emergency.

II.J.3. Access to Communications or Alarm System. The Permittee shall maintain access to the communications or alarm system as required by R450-8-3.5.

II.J.4. Required Aisle Space. At a minimum, the Permittee shall maintain aisle space as required by R450-8-3.6. A minimum of 2.5 feet is required in the container storage areas for aisle space.

II.J.5. Arrangements with Local Authorities. The Permittee shall attempt to make arrangements

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(Coordination Agreements) with State and local authorities as required by R450-8-3.7. Copies of the Coordination Agreements are included in Appendix B of the Contingency Plan (Attachment 7 of this permit). The attempts to make such agreements, any refusals and all final agreements shall be documented in the Operating Record.

II.K. CONTINGENCY PLAN

II.K.1. The Permittee shall follow the procedures of the Contingency Plan, Attachment 7 of this permit, except the following changes are hereby made:

II.K.1.a. through II.K.1.o.¹

II.K.2. Implementation of Plan. The Permittee shall immediately carry out the provisions of Attachment 7, and follow the emergency procedures described by R450-8-4.7. whenever there is a fire, explosion, or release of hazardous waste or hazardous waste constituents which threatens or could threaten human health or the environment. The Permittee shall comply with R450-9 in reporting releases to the Executive Secretary.

II.K.3. Copies of Plan. The Permittee shall comply with the requirements of R450-8-4.4.

II.K.4. Amendments to Plan. The Permittee shall review and immediately amend, if necessary, the Contingency Plan, as required by R450-8-4.5. The Permittee shall also review the Contingency Plan semiannually in accordance with Attachment 7.

II.K.5. through II.K.7¹

II.L. MANIFEST SYSTEM

II.L.1. The Permittee shall comply with the manifest requirements of R450-8-5.2., R450-8-5.4., and R450-8-5.7. The manifest (or equivalent shipping document) number shall be recorded in the operating record with each waste load that arrives at the Permittee's facility. Hazardous wastes shall not be received before the completion of the preacceptance procedures outlined in Attachment 2 unless an unmanifested waste report is filed with

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the Executive Secretary within fifteen (15) days as required by R450-8-5.7.

II.L.2. If the waste load is refused and returned to the generator, such action must be documented in the Operating Record.

II.L.3. Copies of all manifests received by the Permittee, as well as all manifests where the Permittee is listed as the generator, shall be submitted to the Executive Secretary by the twentieth day of the month following the month during which the manifests were received, or generated in the case when the Permittee is the generator.

II.M. RECORDKEEPING AND REPORTING

II.M.1. The permittee shall maintain a written Operating Record at the facility in accordance with R450-8-5.3. and R450-50-1D.

II.M.1.a. The Permittee shall compile a monthly report containing copies of those portions of the daily Operating Records which include the entries for receipt and testing of all incoming loads during the month. The report shall be submitted to the Executive Secretary by the twentieth of the following month.

II.M.1.b. Within the Operating Record, the Permittee shall maintain at the facility a written waste minimization certification in accordance with R450-8-5.3.

II.M.1.c. The Permittee shall comply with the biennial report requirements of R450-8-5.6, by March 1 of each even-numbered reporting year. The report shall include wastes generated, treated or stored at the Permittee's facility during the previous odd-numbered year as required by Condition I.Y.

II.M.1.d. The Permittee shall submit additional reports to the Executive Secretary in accordance with R450-8-5.8.

II.M.1.e. All reports, notifications, applications, or other materials required to be submitted to the Executive Secretary shall be submitted at the address shown in permit condition I.DD. of this permit.

II.N. CLOSURE/POST-CLOSURE

- II.N.1. Performance Standard. The Permittee shall close the facility as required by R450-8-7. and Attachment 8.
- II.N.2. Amendment to Closure/Post-Closure Plan. The Permittee shall amend the closure/post-closure plan in accordance with R450-8-7. whenever necessary, or when required to do so by the Executive Secretary.
- II.N.3. Notification of Closure. The Permittee shall notify the Executive Secretary in writing at least 45 days prior to the commencement of partial or final facility closure. The closure plan contained in Attachment 8 will be reviewed before commencing partial or final facility closure. If the closure plan requires modification, the plan shall be modified in accordance to I.D. and submitted to the Executive Secretary for approval for each hazardous waste management unit undergoing closure.
- II.N.4 Time Allowed for Closure. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste in accordance with the schedule specified in Attachment 8. After receiving the final volume of hazardous waste, the Permittee shall complete closure activities in accordance with the schedule specified in Attachment 8.
- II.N.5. Disposal or Decontamination of Equipment. The Permittee shall decontaminate or dispose of all facility equipment and rinsate as required by R450-8-7. and Attachment 8. Facility equipment which has not been decontaminated will be disposed of only at a hazardous waste treatment, storage or disposal facility that has a hazardous waste treatment, storage or disposal permit or plan approval.
- II.N.6. Certification of Closure. The Permittee shall certify that the facility has been closed in accordance with the specifications in Attachment 8 as required by R450-8-7., and shall provide a certification by an independent, registered professional engineer qualified by experience and education in the appropriate engineering field.
- II.N.7. Additional Permit Closure/Post Closure Conditions. The following permit conditions shall apply to closure and post closure care of the hazardous

waste management units identified in Modules III, IV, and IX in addition to any closure/post-closure action described elsewhere in this permit:

- II.N.7.a. Reserved
- II.N.7.b. Washwaters resulting from decontamination of facility structures and equipment at the time of closure will be sampled and analyzed in accordance with Appendix I-B, Building and Equipment Sampling Plan (Attachment 8). Washwaters shall be removed and treated or disposed of in accordance with the Closure Plan (Attachment 8) and Condition II.N.5.
- II.N.7.c. At the time of closure, soil samples will be taken and analyzed for Priority Pollutants (Attachment 8) and any additional parameters required, as determined by the Executive Secretary. Soil sampling will be performed in accordance with Appendix I-C, Contaminated Soils Sampling Plan (Attachment 8). Any soils exceeding background concentrations shall be removed and disposed of in accordance with Condition II.N.5.

II.O. COST ESTIMATES FOR THE FACILITY CLOSURE

The Permittee's closure cost estimate shall be prepared in accordance with R450-8-8 and Attachment 8.

- II.O.1. By May 15th of each year, the Permittee shall adjust the closure cost estimate for inflation for the previous calendar year in accordance with the procedures contained in 40 CFR 264.142(b) and submit a copy of this adjusted closure cost estimate to the Executive Secretary. For each new hazardous waste management unit placed into operation, an updated closure/post-closure cost estimate for the facility must be prepared which includes the new unit, sixty (60) days prior to waste being placed on or into the new unit.
- II.O.2. The Permittee must revise the closure cost estimate whenever there is a change in the facility's closure plan as required by R450-8-8.
- II.O.3. The Permittee must keep at the facility the latest closure cost estimate as required by R450-8-8 as part of the facility Operating Record.

II.P. FINANCIAL ASSURANCE FOR FACILITY CLOSURE

The Permittee shall demonstrate continuous compliance with the requirement to establish financial assurance for closure of the facility by obtaining and maintaining closure insurance. The closure insurance shall meet the requirements established in 40 CFR 264.143(e) as incorporated by R315-8-8. Changes in the insurer issuing the closure insurance and changes in financial assurance mechanisms must be approved by the Executive Secretary in accordance with the permit modification procedures contained in I.D.5.

II.Q. LIABILITY REQUIREMENTS

II.Q.1. The Permittee shall demonstrate continuous compliance with the requirements of 40 CFR 264.147 as incorporated by R315-8-8. by obtaining and maintaining hazardous waste liability insurance for sudden accidental occurrences in the amount of at least one million U.S. dollars per occurrence with an annual aggregate of at least two million U.S. dollars, exclusive of legal defense costs. The Permittee shall submit to the Executive Secretary, a certificate of hazardous waste liability insurance worded as required by R315-8-8. Each year, within 30 days prior to May 15th, the Permittee shall submit to the Executive Secretary, a new certificate of liability insurance worded as required by R315-8-8. Changes in the limits of liability provided by the policy shall require issuance of a new certificate of liability insurance. This new certificate of liability insurance shall be submitted to the Executive Secretary within 30 days after the effective date of the change. Changes in liability insurance providers and liability coverage mechanisms must be approved by the Executive Secretary in accordance with the permit modification procedures contained in Condition I.D.5.

II.Q.2. reserved

II.R. INCAPACITY OF OWNER OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS

The Permittee shall comply with 40 CFR § 264.148, incorporated into R450-8-8.